

AN ORDINANCE

**97733**

**AUTHORIZING PAYMENT IN THE AMOUNT OF \$8,400.00 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR JPMORGAN CHASE BANK, TRUSTEE OF THE WILLIAM AND CHAVE GONZABA GRANTOR TRUST U/A DATED 9/19/89 FOR FEE SIMPLE TITLE TO ONE PARCEL (\$7,800.00) AND TITLE FEES (\$600.00) IN CONNECTION WITH THE OCTAVIA DRAINAGE #63, PHASE II, PART I PROJECT LOCATED IN COUNCIL DISTRICT 5; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**WHEREAS**, it is necessary to obtain fee simple title to certain property for the purpose of constructing street, drainage and/or utility improvements; and

**WHEREAS**, the Trustee, JPMORGAN CHASE BANK has complied with Section 2252.092 of the Texas Government Code and a copy of the Revocable Trust Agreement with William Gonzaba, M.D. and Chave D. Gonzaba is contained in the files of the City of San Antonio Real Estate Division of the Public Works Department; and

**WHEREAS**, funds are available to acquire the necessary parcel; **NOW THEREFORE;**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The budget in fund 45-962095, 1999 Drainage Improvements, Sold in 2001, is revised by decreasing index code 695585, entitled Unallocated Appropriations: Proceeds, by the amount of \$8,400.00.

**SECTION 2.** The amount of \$8,400.00 is appropriated in fund 45-962014, 1999 Drainage Improvements, Sold in 2001, in index code 938571, entitled Trf to 45-969014 Octavia Drainage #63 Phase 11. The amount of \$8,400.00 is authorized to be transferred from 45-962014 to 45-969014.

**SECTION 3.** The budget in fund 45-969000, 1999 Drainage Improvements, is adjusted by increasing index code 114777, entitled transfer from 45-962014 (45-969014) Octavia Drainage #63, by the amount of \$8,400.00.

**SECTION 4.** The amount of \$7,800.00 is appropriated in Fund 45-969014, 1999 Drainage Improvements, Index Code 780197, entitled Land Acquisition, and is authorized to be encumbered and made payable to Lawyers Title of San Antonio as escrow agent for JPMORGAN CHASE BANK, Trustee of the William and ChaveGonzaba Grantor Trust U/A Dated 9/19/89. A copy of the Plat and Field Notes are attached and incorporated herein as Attachment I attached hereto and incorporated herein for all purposes.

**SECTION 5.** The amount of \$600.00 is appropriated in Fund 45-969014 Index Code 780205, entitled Title Fees, and is authorized to be encumbered and made payable to Lawyers Title of San Antonio.

**SECTION 6.** A copy of the respective instrument shall be submitted to the City attorney for approval under Section 54, Charter of the City of San Antonio. If the instrument is approved by the City Attorney then the City of San Antonio accepts title to the respective parcels upon closing of this transaction.

**SECTION 7.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and funds numbers as necessary to carry out the purpose of this Ordinance.

**PASSED AND APPROVED** this the 5th day of June, 2003.



M A Y O R  
EDWARD D. GARZA

**ATTEST:**



CITYCLERK

**APPROVED AS TO FORM:**

  
for City Attorney